

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

FORT WORTH 4th STREET PARTNERS, §  
L.P., MOJITO ENERGY LLC, KSM §  
MINERALS, LLC, 4th STREET MINERALS, §  
LLC, and REILLY FAMILY MINERALS, §  
LLC, §

Plaintiffs, §

v. §

No. 3:14-cv-03871-M

CHESAPEAKE ENERGY CORP., §  
CHESAPEAKE OPERATING, LLC, §  
CHESAPEAKE EXPLORATION, LLC as §  
successor by merger to CHESAPEAKE §  
EXPLORATION, LP, and §  
CHESAPEAKE LAND COMPANY LLC, §

Defendants. §

**DECLARATION OF DANIEL H. CHAREST**

I, Daniel H. Charest, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a Partner at Burns Charest LLP, and I represent the plaintiffs in this action.
2. I have personal knowledge of the facts stated below, and would be competent to testify to them if called upon to do so.
3. Attached as Exhibit 1 is a true and correct copy of the 12/07/05 Paid up Oil and Gas Lease between Fort Worth 4<sup>th</sup> Street Partners LP and Dale Resources.
4. Attached as Exhibit 2 is a true and correct copy of the 12/07/05 Surface Use Agreement between Fort Worth 4<sup>th</sup> Street Partners LP and Dale Resources.
5. Attached as Exhibit 3 is a true and correct copy of the 06/29/07 Real Estate Purchase Agreement between Fort Worth 4<sup>th</sup> Street Partners and Chesapeake Land Company.
6. Attached as Exhibit 4 is a true and correct copy of the 07/06/07 Paid up Oil and Gas Lease between Fort Worth 4<sup>th</sup> Street Partners LP and Chesapeake Exploration LLC.

7. Attached as Exhibit 5 is a true and correct copy of the 07/05/07 Master Amendment of Paid up Oil and Gas Lease, Surface Use Agreement and JOA.

8. Attached as Exhibit 6 is a true and correct copy of the 08/01/08 Base Contract for Sale and Purchase of Natural Gas between Chesapeake Energy Marketing Inc. and Chesapeake Operating Inc.

9. Attached as Exhibit 7 is a true and correct copy of the 08/19/15 Memorandum Opinion and Order in *Trinity Valley Schools v. Chesapeake Operating Inc.*; No. 3:13-CV-1082-K

10. Attached as Exhibit 8 is a true and correct copy of the 09/10/15 Defendants' Amended Responses and Answers to Plaintiffs First Set of Discovery Requests.

11. Attached as Exhibit 9 is a true and correct copy of the 07/29/14 Potts v Chesapeake Exploration LLC, 760 F.3d 470.

12. Attached as Exhibit 10 is a true and correct copy of the 06/11/14 Chesapeake Energy Map titled "FWPs Occupied Lands."

13. Attached as Exhibit 11 is a true and correct copy of the 09/11/15 Expert Report of Jane Kidd.

14. Attached as Exhibit 12 is a true and correct copy of the 03/08/13 *Potts v. Chesapeake Exploration LLC* (doc. 35) Defendant's Response to Plaintiff's Post-Submission Letter Brief.

15. Attached as Exhibit 13 is a true and correct copy of the 03/11/13 *Potts v. Chesapeake Exploration LLC*, 2013 US Dist. Lexis 33264.

16. Attached as Exhibit 14 is a true and correct copy of the 09/11/15 Expert Report of Tom Robertson.

17. Attached as Exhibit 15 is a true and correct copy of the 05/12/06 Map – Plans with Sites.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signed: September 11, 2015.



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Daniel H. Charest